



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Willibald Kraus  
FOR : BLOCKING OF RETURN AIR  
SERIAL NO. : 08/230,083  
FILED : April 20, 1994  
ART UNIT : 3744  
EXAMINER: : H. Joyce  
LAST OFFICE ACTION : April 9, 1998  
ATTORNEY DOCKET NO. : TRW 2 136-4

Cleveland, Ohio 44114-2518  
August 10, 1998

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#### RESPONSE

Assistant Commissioner for Patents  
Washington, D. C. 20231

Dear Sir:

Responsive to the Examiner's Action mailed April 9, 1998 in connection with the above-referenced U.S. patent reissue application, the applicant respectfully requests reconsideration of the application.

Claims 1-14 and 16 are pending. The Examiner's indication of allowability of claims 1-14 is acknowledged and appreciated. However, claim 16 stands rejected.

More particularly, the Examiner rejected claim 16 under the equitable "recapture" doctrine. It is his position that claim 16 adds no limitation to what was recited in originally filed claim 1 and, thus, violates this doctrine.

It is respectfully submitted, however, that claim 16 does indeed add limitations to that which was recited in application claim 1 and, therefore, does not violate the recapture doctrine. More specifically, application claim 1 recited the following: